

FAYETTE COUNTY COMMISSION
REGULAR SESSION
December 12, 2014
COURTHOUSE

FAYETTEVILLE, WV 25840

MEMBERS Present: Denise A. Scalph, Matthew Wender, John H. Lopez

The Fayette County Commission met for a regular meeting on this 12th day of December, 2014.

President Scalph called the meeting to order at 9:07 a.m.

Eddie Young, Assessor, appeared before the Commission to present exonerations for real property.

Mr. Young presented exonerations for personal property for Susan C. England \$159.28; Petra Industrial Services Inc \$11,973.08; Michelle F. Laird \$502.46; Billy J. Butler \$3.20; Damon Rodger & Ruby Runyon \$390.66; Erin M. Beal \$217.00; Shanon Dixon \$368.44.

Mr. Young presented exonerations for real property for Timothy Holcomb \$21.52; H3LLC \$9.98; Kimberlee Crist \$119.14; John W. & Sandra L. Pyatt \$463.48; Samuel M. Jasper \$415.26. Commissioner Lopez motioned to approve personal and real property. President Scalph seconded. Unanimous decision.

Commissioner Lopez motioned to approve vouchers and invoices and release checks and approved 1st half payroll to be released on the 15th. President Scalph seconded. Unanimous decision.

President Scalph motioned to approve minutes for July 21, July 25, August 8, August 29, September 5, September 12, September 24, October 10, October 17, October 28, and November 7. Commissioner Lopez seconded. Unanimous decision.

Kelvin Holliday, County Clerk, appeared to introduce a new employee, Angel Williams.

President Scalph presented a check for \$5,619.05 for reimbursement on the design for the Winona water project.

Sheriff Steve Kessler appeared to present a final disposition on the land sale.

Debbie Berry, County Administrator, presented a Courthouse Facilities Improvement Authority grant cycle contract for President Scalph to sign. Commissioner Lopez motioned to authorize President Scalph to sign the 2nd phase of our Courthouse Roof project for \$96,000.00. President Scalph seconded. Unanimous decision.

Ms. Berry presented a Small Cities Block Grant project documents for the Kanawha Falls/Boonesborough water project for President Scalph to sign. Commissioner Lopez motioned to approve. President Scalph seconded. Unanimous decision.

Ms. Berry presented a letter for signatures to the Supreme Court of Appeals requesting reimbursement for rent for the Family Law Judge for the month of December, 2014. Commissioner Lopez motioned to approve signing for the reimbursement. President Scalph seconded. Unanimous decision.

Mike Moore with Silling Architects appeared to discuss the Belinda Morton property. The existing structure is not large enough to hold the Family Law Magistrate Office. Mr. Moore will visit the property. There are a few options for moving forward. Maintenance employees can assist with some of the work to save costs.

Commissioner Wender entered the meeting at 9:45 a.m.

The lot next to the property may need to be purchased to have enough room to build a new one story structure. The USDA loan program is the most used funding source across the state for judicial annex buildings. It would need to be 2,500 to 3,000 square feet. The Supreme Court will reimburse for Magistrate Court. Ms. Berry will check with Fletcher Adkins and Cindy Wessel.

Commissioner Wender suggests a feasibility study to be completed by Silling.

The Commission entered into an executive session for legal counsel at 10:14 a.m. Commissioner Lopez motioned the executive session. President Scalph seconded. Lopez motioned to approve. President Scalph seconded. Unanimous decision.

The Commission reconvened at 10:30 a.m.

Carl Harris appeared to inform the Commission of his retirement on December 31, 2014. Commissioner Wender motioned to appoint Assistant Prosecuting Attorney Larry Harrah to complete the remainder of Mr. Harris' term. Commissioner Lopez seconded. Unanimous Decision.

Angela Gerald, Building Safety Department, appeared to present dilapidated properties. Commissioner Wender motioned to authorize the demolition of the Mayard Nichols property at 366 Logan Rd, Page and to advertise for the demolition. Commissioner Lopez seconded. Unanimous decision.

Ms. Gerald presented the Virginia Massey property, 22674 Midland Trail, Victor. Notices have been sent to Ms. Massey. Commissioner Wender motioned to accept the complaint and ask Ms. Massey to a future meeting regarding her plans for the building. Commissioner Lopez seconded. Unanimous decision.

Ms. Gerald presented the Tom Neal property, 51 Nancy Jane Drive, Oak Hill. Mr. Neal purchased the home then it burned with previous owner, Mike Allen, still residing in it. There are two insurance companies involved due to the house was sold as a foreclosure. Commissioner Wender motioned to accept the complaint and notify both Mr. Neal and Mr. Allen to come before the commission and relay their

plans for removal of the structure. Commissioner Lopez seconded. Unanimous decision.

Bill Hannabass appeared to submit an application for annexation for minor boundary adjustments, West Virginia Code 8-6-5. Carl Harris, Prosecuting Attorney reported what will happen next. The Commission will review the submission and then determine if it meets the guidelines to move forward. By December 19th, if reviewed and found satisfactory, the Commission will accept then determine a hearing date. The Commission will accept or reject the application on December 19th at 10:30 a.m.

Lynn Pollard appeared regarding the estate of Charles E. Dixon. Attorney Robert Dunlap from Beckley, who represents Mr. Dixon, also appeared. Commissioner Wender motioned that since it is consistent with all parties that Theodore J. Dixon be appointed executor of the estate. Commissioner Wender motioned that Mrs. Pollard be excused as curator because her work in that position is complete. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a request from April Newell Storm, Fayette County Green Advisory Team, for the use of the Courthouse grounds for vendors and other activities, especially children's activities on Saturday, April 25, 2015 from 12:00 noon 5:00 pm for Earth Day. Commissioner Wender motioned to approve and make available the courthouse grounds with restrictions set forth. President Scalph seconded. Unanimous decision.

Ms. Berry presented two forms to add to the personnel manual regarding donated leave. Commissioner Wender motioned to add these two forms into the personnel manual. Commissioner Lopez seconded. Unanimous decision.

Ms. Berry presented a request for a new door for the Building Code Enforcement office in the amount of \$1,965.83. Commissioner Wender suggests obtaining more quotes, possibly five or six. Mr. Harris believes all requests need to be submitted during budget session unless it is an emergency. It will need to be determined if the amount is within the County's money limits.

Commissioner Wender suggested tabling this request and during the next budget session, we make an allocation called Unencumbered Emergency Funding. President Scalph suggested having a rate sheet set up for our budget session.

Adam Hodges suggests that the Commission request a final funding report be submitted by people who receive allocations.

Mr. Ray Crook appeared to request funding for their food pantry. The program increased from 20 to 1,200 participants. He presented a budget statement. He asked to be considered for funding in March. Lord's Blessing has a recycling program where people receiving donations bring recycling back as payment for the food and Lord's Blessing recycles the materials for cash. Discussion is held as to if they are considered a non-profit or a church. The IRS said that they are a separate entity from the church but the Commission has requested this in writing from the IRS.

Discussion is held on the Coalbed methane fund. Commissioner Wender motioned to approve the use of the Coalbed Methane Fund of \$15,000.00 to be written to the FCURA to pay down their line of credit. Commissioner Lopez seconded. Unanimous decision.

The Commission reviewed the dates for upcoming meetings:

January -Wednesday 7th, Friday 23rd

Board of Equalization and Review

January - Friday 30th

February - Tuesday 3rd, Monday 9th, Friday 13th - 1:00 pm,

Friday 20th
Special Levy Election Canvass
February - Friday 13th
Budget Sessions
March - Wednesday 4th, Tuesday 10th, Friday 13th, Wednesday
18th, Wednesday 25th
April - Wednesday 8th, Tuesday 14th, Wednesday 29th

Commissioner Wender requested having AT&T and Frontier
representatives come to an upcoming meeting to give updates.

The Commission approved 2nd half payroll to be paid on
December 23rd.

Kelly Jo Drey appeared to give updates on her projects.
Commissioner Wender suggested the Ms. Drey write the
responsibilities for an assistant and set up a meeting with
Allen Ballard about cross training Angela Gerald. Mr. Wender
also asked that Theresa White be included to discuss her needs
and an IT position for the county.

The Commission asked for James Bennett, 911 Coordinator, be
placed on an upcoming agenda to discuss the response time for
JanCare.

Discussion was held on the Land Trust property purchase.
The decision lies with the state and they will let Eddie Young,
Assessor, know whether it is taxable or non-taxable on or before
February 28th, 2015.

President Scalph presented a request for pay increase for
an employee at the 911 center. Discussion was held. It was
tabled until discussion on January 7th.

The meeting adjourned at 1:45 p.m.

